

EXHIBIT H

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3

4 -----x

5 DONNA WOOD, et al, individually
6 and on behalf of all others
7 similarly situated,

8 Plaintiffs,

9 vs. 20 Civ. 2489 (LTS) (GWG)

10 MIKE BLOOMBERG 2020, INC.,

11 Defendant.
12 -----x

13
14 VIDEOTAPE DEPOSITION OF
15 ALEXANDRA WHEATLEY-DIAZ
16 VIA ZOOM VIDEOCONFERENCE

17 November 11, 2022

18 7:16 a.m. PST
19
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21
22
23

24 Reported by:

25 Maureen Ratto, RPR, CCR

1 ALEXANDRA WHEATLEY-DIAZ

2 it looked like to take this position on
3 and if this was a good idea for me in my
4 life, just because I had just moved to
5 California and I was trying to get
6 settled in.

7 Q. Had you worked for Genex in
8 Florida before you moved to California?

9 A. That is correct.

10 Q. And was it their decision or
11 your decision for you to move to
12 California?

13 A. It was my decision.

14 Q. And you continued to work for
15 them after you moved; is that right?

16 A. That is right.

17 Q. And what was the position that
18 you held immediately prior to starting
19 with the Campaign for Genex?

20 A. I worked for Jamar
21 Enlightenment Center.

22 Q. And that was in Florida?

23 A. That was in Florida, correct.

24 Q. So at Genex, at the time that
25 you applied or at the time that you got

1 ALEXANDRA WHEATLEY-DIAZ

2 the job offer for the Bloomberg Campaign,
3 your job was as an insurance scheduler;
4 is that right?

5 A. Correct.

6 Q. And how were you paid in that
7 job?

8 A. I was paid a direct deposit.

9 Q. Were you hourly or salaried or
10 something else?

11 A. I was hourly.

12 Q. And how many hours a week did
13 you work?

14 A. Every week was different,
15 depending on the time but it was a
16 full-time position, so between 40 hours
17 and some weeks it would be more but at
18 minimum, 40 hours.

19 Q. And did you get overtime for
20 hours over 40?

21 A. We did, as long as it was
22 approved.

23 Q. What does that mean?

24 A. That means that you couldn't
25 just work 50 hours every week. There had

1 ALEXANDRA WHEATLEY-DIAZ

2 to be a reason as to why we had to work
3 more than 40 hours.

4 Q. And you had to get that
5 approved in order to get paid; is that
6 your testimony?

7 A. No. We had to get approved in
8 order to work more than 40 hours.

9 Q. And during the time that you
10 worked for the Bloomberg Campaign, you
11 continued to work for Genex; is that
12 right?

13 A. That is correct.

14 Q. And how many hours a week did
15 you work for Genex while you were working
16 for the Campaign?

17 A. I can't confirm the amount of
18 time, but it was a good portion of my day
19 -- or a good -- incorrect to say that.

20 It was -- I can't -- I can't
21 recall the exact amount of time but it
22 was certainly five hours -- about
23 approximately anywhere from five hours a
24 day, sometimes more, depending on how --
25 when I had to be at the Bloomberg office.

1 ALEXANDRA WHEATLEY-DIAZ

2 Q. And did you continue to be
3 paid on an hourly basis by Genex?

4 A. I was.

5 Q. During the time that you were
6 also working for the Campaign did you get
7 paid any overtime by Genex?

8 A. I did not.

9 Q. When you worked for Genex what
10 office or offices did you work out of?

11 MS. COLE-CHU: Objection to
12 form.

13 A. Can you repeat the question or
14 rephrase it?

15 Q. What is it about the question
16 that you don't understand?

17 A. You asked if I worked at the
18 office. Are you specifying if I worked
19 anywhere other than my home, since I was
20 a work-from-home employee?

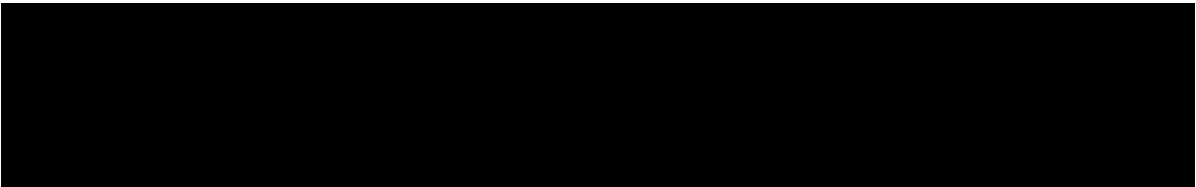
21 Q. Okay. Thank you. So when you
22 were working for Genex you worked from
23 your home; is that correct?

24 A. That is correct.

25 Q. And how did you keep track of

ALEXANDRA WHEATLEY-DIAZ

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Q. Do you have any records of the number of hours that you worked for Genex during the time that you were working for the Bloomberg Campaign?

A. I don't have that.

Q. I assume they would have that, though, correct?

A. They should.

MS. COLE-CHU: Objection to form.

Q. Do you have your pay stubs or any record of your -- what your pay from Genex during the time period that you working for the Campaign?

A. I do not have that currently. Although, I do believe I might have submitted that when we originally began.

Q. When you say when you originally began, originally began what?

A. When we originally -- when this case began.

1 ALEXANDRA WHEATLEY-DIAZ

2 Q. You understood that your
3 status was as an exempt employee?

4 A. I did not know what that meant
5 at that time, so I didn't -- so I would
6 say that I didn't know that that -- I
7 didn't know the extent to what that meant
8 at that time.

9 Q. You understood that you
10 wouldn't get overtime, though, correct?

11 A. I did not understand that.

12 MS. COLE-CHU: Objection to
13 form.

14 Q. Sorry?

15 A. I did not understand that.

16 Q. So did you think you would be
17 paid money over and above \$3,000
18 semi-monthly?

19 A. I did not -- I did not know --
20 how do I say this? I was not aware of --
21 I wasn't aware that that would even be
22 necessary based on not knowing that I
23 would be working the hours to the extent
24 that I was.

25 Q. Did you tell your other

1 ALEXANDRA WHEATLEY-DIAZ

2 employer that you were taking another
3 job?

4 A. I told my immediate boss, yes.

5 Q. What did you tell your
6 immediate boss?

7 A. When or what?

8 Q. What?

9 A. What. I told my other boss
10 that I would be working for the Campaign.

11 Q. Did you tell your boss how
12 many hours a week you'd be working for
13 the Campaign?

14 A. It did not come up in
15 conversation.

16 Q. What was the conversation?
17 Tell me in as much detail as you can
18 recall.

19 A. I spoke with my immediate boss
20 about taking a second job so that I could
21 support myself.

22 Q. Did you ask for any reduction
23 in the number of hours that you were
24 working for Genex in order to take the
25 second job?

1 ALEXANDRA WHEATLEY-DIAZ

2 A. I did not ask for -- I did not
3 ask for that.

4 Q. Now, going back to Exhibit 2,
5 there is also a Confidentiality
6 Non-Interference and Invention Assignment
7 Agreement that you signed on page
8 P008652; is that right? That is your
9 signature?

10 A. That is, yes.

11 Q. And you dated this on or about
12 January 16th of 2020?

13 A. That is correct.

14 Q. And above your signature it
15 says, "I, Alexandra Wheatley, have
16 executed this Confidentiality,
17 Non-Interference and Invention Assignment
18 Agreement on the date set forth below."
19 Correct?

20 A. Correct.

21 Q. And included in this packet on
22 P008653 to P008655 is also a Code of
23 Conduct, correct?

24 A. Correct.

25 Q. And on page P008655 you signed

1 ALEXANDRA WHEATLEY-DIAZ

2 times, 50 times. I couldn't give you a
3 number to the exact amount but it was
4 certainly a lot.

5 Q. What did you do at home?

6 A. Primarily phone banking and
7 most -- and sometimes the text messages.

8 Q. Now, you understand that you
9 are being offered as a class
10 representative in this case; is that
11 right?

12 A. That is right.

13 Q. What does that mean to you?

14 A. That means that I represent a
15 group of people in the State of
16 California.

17 Q. And what do you understand
18 your responsibilities to be as a class
19 representative?

20 A. That I am available, that I am
21 cooperative and that I have the time and
22 willingness to be a part of this case.

23 Q. There was a period of time
24 during the pendency of this case when you
25 had indicated that you no longer wanted

1 ALEXANDRA WHEATLEY-DIAZ

2 to be a class representative; is that
3 correct?

4 MS. COLE-CHU: Objection to
5 form.

6 A. That is incorrect.

7 Q. What's incorrect about my
8 question?

9 A. It was not that I did not want
10 to be a part of, it was that I was unable
11 to.

12 Q. And why were you unable to?

13 A. I spoke with my lawyer or my
14 attorneys in regards to this and it was
15 discussed that I should not proceed at
16 that time.

17 Q. And what was the reason that
18 you should not proceed?

19 MS. COLE-CHU: Objection. I'm
20 just going to caution the witness
21 not to disclose any confidential
22 communications that she had with
23 her attorneys.

24 Q. To be clear, I'm not asking
25 you to tell me what you spoke to about

1 ALEXANDRA WHEATLEY-DIAZ

2 your attorneys. I'm asking you to tell
3 me what the reason was you were not able
4 to proceed as a class rep.

5 A. The reason was discussed
6 between my attorneys and I.

7 MS. BLOOM: Hannah, I think
8 she can answer the question. I'm
9 not asking about discussions with
10 you but I'm entitled to know the
11 reason.

12 MS. COLE-CHU: Objection. Just
13 one moment. I'm objecting to the
14 question. I think that you are
15 seeking confidential work product
16 and privileged information and
17 you're asking about conversations
18 that happened between the witness
19 and her attorneys and she can't
20 speak about those.

21 MS. BLOOM: I'm not -- sorry.
22 Go ahead.

23 Q. I'm not -- I want to be really
24 really clear. I am not asking you to
25 disclose what you talked to your

1 ALEXANDRA WHEATLEY-DIAZ

2 attorneys about.

3 What I am asking you for,
4 though, is the reason why you believed
5 you were unable to continue as a class
6 representative?

7 MS. COLE-CHU: Objection. I'm
8 going to caution the witness not to
9 disclose any confidential
10 communications that happened
11 between her and her attorneys.

12 To the extent that you're able
13 to provide any reasons that are not
14 confidential or privileged, you
15 may.

16 A. I just -- I began a new job.

17 Q. When did you begin that job?

18 A. In May of 2020 -- 2021. Sorry.

19 Q. And what was that job?

20 A. VanRein Compliance as an
21 account manager.

22 Q. What was it about that job
23 that you thought made you unable to
24 continue as a class representative?

25 A. It wasn't necessarily the job,

1 ALEXANDRA WHEATLEY-DIAZ

2 it was merely -- it was -- it wasn't the
3 job, it was merely I had began a new
4 position and that was it.

5 Q. So it was the fact of
6 beginning a new position, not what you
7 were doing at the job? Am I
8 understanding your testimony correctly?

9 MS. COLE-CHU: Objection to
10 form.

11 A. Just that I started a new
12 position.

13 Q. And what was it about starting
14 the new position that made you believe
15 that you couldn't be a class
16 representative?

17 A. I wasn't aware of what the new
18 position would ask of me and that was the
19 extent to it.

20 Q. And did you change your mind
21 at some point and decide that you could
22 be a class representative?

23 A. Not that I could, but that I
24 was able to.

25 Q. What does that mean?

1 ALEXANDRA WHEATLEY-DIAZ

2 Q. And what was it that made you
3 think that you were able to resume as a
4 class representative?

5 A. I understood what was needed
6 and I knew that I could, based on where
7 I'm at in my position in my life, that I
8 could show up and represent this class in
9 the way that it needed and deserved.

10 Q. Now, do you still have the job
11 at -- VanRein, did you call it?

12 A. The company is called VanRein
13 Compliance. And yes, I do still have
14 that position.

15 Q. Has your position changed at
16 all?

17 A. I've been given more
18 responsibility but not necessarily has it
19 changed in its -- in its -- I mean, the
20 company is always changing, the position
21 is always changing, so that's a pretty
22 broad question, but the position that I
23 currently hold is still the same, yes.

24 Q. But you said you've been given
25 more responsibility; is that right?

1 ALEXANDRA WHEATLEY-DIAZ

2 MS. COLE-CHU: Objection to
3 form.

4 A. Yes.

5 Q. What types of additional
6 responsibilities?

7 A. I've been asked to travel,
8 I've been asked to help higher clients or
9 take care of bigger projects, that's the
10 extent. So not necessarily more in time,
11 but just greater responsibility in terms
12 of trust.

13 Q. When did you get the job at
14 VanRein?

15 A. I got that job in May of 2021.

16 MS. BLOOM: I'm going to ask
17 the court reporter to mark as
18 Exhibit 3 the document that appears
19 under tab 14 and I'm going to ask
20 the witness to review the document
21 and let me know when you've had a
22 chance to review it.

23 (Wheatley Exhibit 3, letter
24 dated October 19, 2020 from Outten
25 & Golden was received and marked on

1 ALEXANDRA WHEATLEY-DIAZ

2 A. Correct.

3 Q. And do you see my name on
4 there, Proskauer Rose, that was a letter
5 that was sent to me by your lawyers on
6 October 19th of 2020, correct?

7 A. Correct.

8 Q. And I'd like to direct your
9 attention to the second paragraph on the
10 first page. It says, "Plaintiffs write to
11 notify Defendant that they intend to
12 amend the Complaint. First, Plaintiffs
13 plan to substitute the California class
14 representative currently Alexandra Marie
15 Wheatley-Diaz with Robbins Ceppos." Do
16 you see that?

17 A. Yes.

18 Q. So on October of 2020 we were
19 informed that you -- that your counsel
20 was going to substitute you out as a
21 class representative.

22 What was it in October of 2020
23 that caused you not to want to continue
24 as a class rep?

25 MS. COLE-CHU: Objection.

1 ALEXANDRA WHEATLEY-DIAZ

2 A. I don't recall at that time,
3 that specific time.

4 Q. But it clearly wasn't the
5 position that you got at VanRein in May
6 of 2021; isn't that right?

7 MS. COLE-CHU: Objection,
8 objection to form.

9 A. I don't feel -- I'm going to
10 have to pause on that. Do I have to
11 respond at this moment in time? Can I
12 come back to that?

13 Q. You do. You need to respond.

14 A. Like I said before, it was
15 just decided at that time between my
16 attorneys and I that it was not the right
17 time for me to keep moving forward. I
18 thought it was my position, like, this
19 was two years ago, two, three years ago,
20 so that -- I was under the understanding
21 that that was the reason why at that time
22 but those conversations were between my
23 attorney and I at that time.

24 Q. You said that you wanted to
25 come back to this question. What was it

1 ALEXANDRA WHEATLEY-DIAZ

2 that you were going to do to try to
3 refresh your memory so you can refresh
4 your memory?

5 MS. COLE-CHU: Objection to
6 form.

7 A. I just needed a minute to kind
8 of comprehend or bring myself back to
9 that timeframe to answer.

10 Q. Okay. So I'm -- have you
11 brought yourself back to October of 2020
12 now?

13 MS. COLE-CHU: Objection.

14 A. That was such a long time ago.
15 Yeah, I just want to stick with that
16 statement, that my attorneys and I
17 discussed me being able to proceed and --
18 or -- I'm sorry, my attorneys and I
19 discussed whether or not I had the time
20 to be the class representative at that
21 time and it was decided that I -- I
22 didn't have the time to give to this.

23 Q. But it wasn't the new job at
24 VanRein which you got in May of 2021,
25 correct?

1 ALEXANDRA WHEATLEY-DIAZ

2 MS. COLE-CHU: Objection to
3 form.

4 A. At that time I was still
5 looking for other positions. We were in
6 the height of COVID and I don't believe
7 that I -- I did not have the time to give
8 to this case that it deserves.

9 Q. Well, I just want to make sure
10 I understand the timeframe clearly. You
11 didn't start working at VanRein until May
12 of 2021, correct?

13 A. Correct.

14 Q. And in October of 2020 you
15 were still working for Genex, correct?

16 A. I was.

17 MS. COLE-CHU: Objection to
18 form.

19 Q. And the position was still a
20 remote position, correct?

21 A. It was, yes.

22 Q. Do you know Robin Ceppos?

23 A. I know who she is, yes.

24 Q. How do you know her?

25 A. I met her working at the

1 ALEXANDRA WHEATLEY-DIAZ

2 A. I believe that was the extent
3 to it.

4 Q. And what conversations have
5 you had with Rachel about the claims in
6 this case?

7 A. I don't recall the extent to
8 the conversation, other than speaking
9 about the case, not in detail, but just
10 that there was one, and our experiences
11 with -- at the different places that we
12 worked at.

13 Q. Whose decision was it that you
14 were going to become a class
15 representative again?

16 MS. COLE-CHU: Objection.

17 A. It was my decision.

18 Q. I'm sorry? I didn't hear your
19 answer.

20 A. It was my decision.

21 Q. And why did you -- what
22 prompted you to make that decision?

23 A. I spoke with my attorneys and
24 that decision -- and then that decision
25 was made.

1 ALEXANDRA WHEATLEY-DIAZ

2 Q. Was it -- did you initiate the
3 conversation about becoming a class rep
4 again or was it initiated by somebody
5 else?

6 MS. COLE-CHU: Objection.

7 A. I don't recall who initiated
8 that. I just know that the conversation
9 was discussed between my attorneys and I.

10 MS. BLOOM: Okay. We can take
11 ten minutes if you want.

12 MS. COLE-CHU: Thank you.

13 VIDEOGRAPHER: All right. We
14 are going off the record. The time
15 is 8:52 a.m.

16 (Recess is taken.)

17 VIDEOGRAPHER: We are going
18 back on the record. The time is
19 9:04 a.m.

20 MS. BLOOM: Can you mark the
21 document that's under tab 8, which
22 is P007945 to P007946. And I think
23 we're up to Exhibit 4.

24 (Wheatley Exhibit 4, email
25 dated October 6, 2020, Bates

1 ALEXANDRA WHEATLEY-DIAZ

2 Q. Okay. And how many hours in
3 January per week were you working for
4 your other job?

5 A. I cannot say for certain the
6 amount of hours but anywhere between -- I
7 cannot -- I couldn't say for certain on
8 the record the amount of hours.

9 Q. Well, approximately how many?

10 A. Maybe, approximately, like, 30
11 hours, 35.

12 Q. 35 hours a week?

13 A. Approximately.

14 Q. And how many hours a week for
15 the Campaign during that time?

16 A. Like I said, if I got there to
17 the office between 10 and 11 --
18 generally, it was between 11 or 12 and
19 then I would leave around 9, 8, 9,
20 sometimes 10, depending on the day. Like
21 Fridays and then on weekends it was
22 typically in the morning all the way to
23 the nighttime on Saturday and Sunday.

24 Q. And it's your testimony that
25 you worked every Saturday and Sunday for

1 ALEXANDRA WHEATLEY-DIAZ

2 So if you think I missed it
3 and if you can send me the Bates
4 numbers, that would be great but,
5 otherwise, we ask that you look for
6 that and I can follow up in
7 writing.

8 MS. COLE-CHU: Thank you.

9 (Request for expense
10 documentation.)

11 Q. Your job at Genex, what
12 specifically was that job? And when I say
13 what was that job, I'm talking about the
14 time you worked for the Campaign, what
15 did you do?

16 A. I had different
17 responsibilities. In the morning I was
18 asked to do medical records. And then in
19 the afternoon I was asked to -- or like
20 in the later half of the day I was asked
21 to be available for calls that would come
22 in after a certain time.

23 Q. So what does it mean "to do
24 medical records"?

25 A. Medical records -- oh, my God.

ALEXANDRA WHEATLEY-DIAZ

Umm, how do I say this? I would pull medical records for the independent medical exams that the clients -- that the patients were going to be participating in and put them in a document or put them in a folder and I had to do several different things to those documents in order for them to be liable for the nurse practitioner. So essentially, I was preparing documents for someone to look over in regards to that patient.

Q. And you did that remotely?

A. I did that remotely.

Q. Your resumé says that you were a scheduler. Did you do scheduling?

A. Yes. When I was originally hired I was hired as a scheduler.

Q. At the time that you were working for the Bloomberg Campaign were you doing scheduling?

A. I was not.

Q. And when you said you had to be available to field calls, calls from

1 ALEXANDRA WHEATLEY-DIAZ

2 whom?

3 A. Patients, like after hours.
4 Since the company was an East Coast
5 company, I was working East Coast times.

6 Q. So during what hours would you
7 have to be available to field calls?

8 A. Generally around 11 and 12.

9 Q. Until when?

10 A. Well, that's until then, like,
11 I would have the calls forwarded to my
12 cellphone, I was just available but that
13 never really occurred.

14 Q. This is what I'm not
15 understanding. You're saying until 11 or
16 12 Pacific Time? Is that your testimony?

17 A. Yes.

18 Q. And you said it was after
19 hours on the East Coast, so that would be
20 two or three o'clock on the East Coast?

21 A. Correct. Because we're talking
22 in reference to, like, a doctor's office.

23 Q. So you are claiming that a
24 doctor's office closes at two o'clock?

25 A. I'm not claiming anything. I'm

1 ALEXANDRA WHEATLEY-DIAZ

2 just stating what the company considers
3 after hours is.

4 Q. And when did you -- what was
5 the time period? I know you said it ended
6 at 11 or 12. When did it start?

7 A. I mean, I was available to
8 take calls all day, but it wasn't
9 necessarily a start or end time to that.
10 Sorry. It wasn't necessarily a start time
11 to that. My apologies.

12 Q. So I'm just trying to
13 understand what the commitment was.

14 When you say you were
15 available to take calls all day, what
16 does that mean? Tell me the hours.

17 A. The hours varied. My -- I was
18 just available to take a call if it was
19 after hours, which generally ended around
20 12, but it would be understood too that
21 it could be up until, like, 2 p.m.
22 Pacific Standard Time, but that never
23 actually occurred during the time that I
24 was employed or that I was working but it
25 was, like, I was available if I had to

1 ALEXANDRA WHEATLEY-DIAZ

2 have a call. And Bloomberg was aware of
3 that, yeah.

4 Q. So you had to be available; is
5 that right?

6 A. I -- I wouldn't say I had to
7 be, it was just that I was if I needed to
8 be.

9 Q. Did you get paid for being
10 available?

11 A. I did get paid for being
12 available, yes.

13 Q. And how did you -- so if you
14 would be available all day, how many
15 hours would you get paid for for being
16 available?

17 A. I can't give you an accurate
18 number for that, but I would keep track
19 of that on, like, on a timesheet. Like I
20 said, the hours that I was working for
21 the Campaign varied as to when I needed
22 to be in the office, so it varied on
23 that. It was based on that.

24 Q. I just want to make sure I
25 understand your testimony completely.

1 ALEXANDRA WHEATLEY-DIAZ

2 So you said that you'd be in
3 the Bloomberg office working for the
4 Campaign and you would simultaneously be
5 available to take calls for your job at
6 Genex; is that correct?

7 A. That's incorrect. I stated
8 that we -- that I was available if I
9 needed to be for Genex for customer
10 service if I had to be for after hours.
11 However, that depended when I needed to
12 be in the office for the Campaign and it
13 differentiated on the date but there were
14 circumstances where I was allowed to,
15 depending on when they needed me to be in
16 the office, I was allowed to work --
17 like, work my previous job there, so that
18 I can just immediately start working for
19 the Campaign when they needed me to start
20 working.

21 Q. Did you ever get paid by Genex
22 and by the Campaign for the same hour?

23 MS. COLE-CHU: Objection to
24 form.

25 A. I can't confirm or -- I can't

1 ALEXANDRA WHEATLEY-DIAZ

2 recall because that was two years ago.

3 Q. Okay. But presumably Genex
4 would have records that would show us
5 that, right?

6 A. I don't know, to be certain.

7 MS. BLOOM: Okay. Can we show
8 the witness what is under tab 10
9 and mark it as Exhibit 17, please?

10 (Wheatley Exhibit 17, letter
11 dated March 31, 2020 from Outten &
12 Golden re: PAGA Notice was received
13 and marked on this date for
14 identification.)

15 CONCIERGE: Wheatley 17 is
16 marked.

17 Q. Ms. Wheatley, I'm going to ask
18 you if you've seen the document that's
19 been marked as Exhibit 17 before?

20 A. Yes, I have seen this.

21 Q. And do you recognize that as
22 the PAGA letter that was filed on your
23 behalf?

24 A. I do.

25 Q. And when did you see this for

1 ALEXANDRA WHEATLEY-DIAZ

2 to that, at which are very detailed and
3 I'd have -- I am aware of them but do not
4 -- I mean, there's technical terms that I
5 do not feel comfortable, like, stating on
6 the record what they are.

7 Q. If you can look at page 22 of
8 Exhibit 23, there is a couple of
9 paragraphs that deal with you
10 specifically and I had one or two
11 questions about those.

12 It says in paragraph 95 that
13 you reduced your hours at your insurance
14 firm by nearly half. Is that an accurate
15 statement?

16 A. That is an accurate statement.

17 Q. Did your total amount of
18 compensation increase or decrease during
19 the time that you were working for the
20 Bloomberg Campaign?

21 MS. COLE-CHU: Objection to
22 form.

23 A. I don't -- I don't -- I cannot
24 state for certain if they increased,
25 decreased or stayed the same.

1 ALEXANDRA WHEATLEY-DIAZ

2 insurance company, correct?

3 A. Correct.

4 Q. If you look at the next page
5 in paragraph 96, it says that you
6 regularly worked approximately 65 hours a
7 week for the Campaign. Is that a true
8 statement?

9 A. It is a true statement of
10 which varied based on the week. That's
11 why the word "approximately" is
12 important.

13 Q. What was the range?

14 A. It could have been 50, could
15 have been 65, could have been 70,
16 honestly. That's why the word
17 "approximately" I think is really
18 important in that statement because it
19 was around that amount of hours.

20 Q. Was it ever less than 40?

21 A. No.

22 Q. So assuming it was 65 hours a
23 week, and that you were working 35 hours
24 a week for the insurance company, is it
25 your testimony here today that you would

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2 have been working 100 hours a week?

3 A. I cannot make that testimony,
4 nor do I feel confident in making that
5 statement. I would just simply say that I
6 worked approximately a certain amount of
7 hours at the -- at Genex and I worked a
8 significant amount more at the Campaign
9 working every single day up until I was
10 let go.

11 Q. And sitting here today, can
12 you tell me if there was any overlap in
13 the hours, meaning that you were working
14 for both entities at the same time?

15 A. I cannot recall during that
16 timeframe if that occurred or not.

17 Q. If that did occur, then you
18 would have been getting paid from both of
19 them simultaneously?

20 MS. COLE-CHU: Objection.

21 A. I cannot -- I cannot -- I -- I
22 don't -- I don't believe that that's a
23 fair -- I don't believe that that
24 statement is accurate because I was not
25 being paid hourly from the Campaign. I